

FILED BY JE D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

DEMUS RICH and wife, MELBA)
RICH, individually and as)
Executors of the Estate of GARY)
BRIAN RICH, deceased,)

Plaintiffs,)

No. 1:02-1222 T/P

vs.)

CITY OF SAVANNAH, TENNESSEE, et)
al.,)

Defendants.)

ORDER AWARDING ATTORNEY FEES AND EXPENSES TO PLAINTIFFS

Before the court is the Affidavit of Andrew C. Clarke, Esquire, attorney for the plaintiffs, filed June 22, 2005, in compliance with the court's order denying plaintiffs Demus and Melba Rich's Motion to Exclude the Testimony of Danny Franks, David Cagle, John Overton, and Joseph Peters, M.D., and awarding attorney's fees and expenses to plaintiffs.

The affidavit sets forth fees and expenses incurred in preparing and filing plaintiffs' motion to exclude as well as plaintiffs' counsel's preparation for and appearance at the hearing on plaintiffs' motion, for a total amount of \$1,500. The court finds the services rendered and the total attorney fees and

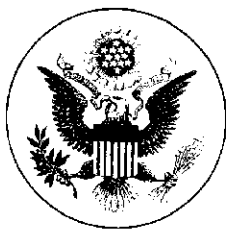
expenses to be reasonable.

IT IS THEREFORE ORDERED, pursuant to Federal Rule of Civil Procedure 37(a)(4)(A), that the defendants pay the plaintiffs the total sum of \$1,500.00, within thirty days from the date of this order, for attorney fees and expenses.

A handwritten signature in cursive script, appearing to read 'Tu Pham', written over a horizontal line.

TU M. PHAM
United States Magistrate Judge

Date: July 11, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 165 in case 1:02-CV-01222 was distributed by fax, mail, or direct printing on July 12, 2005 to the parties listed.

Andrew C. Clarke
BAILEY & CLARKE
6256 Poplar Avenue
Memphis, TN 38119

James A. Hopper
HOPPER & PLUNK
P.O. Box 220
Savannah, TN 38372

John C. Duffy
WATSON & HOLLOW
P.O. Box 131
Knoxville, TN 37901--013

Michael R. Hill
FLIPPIN COLLINS & HILL, PLLC
P.O. Box 679
Milan, TN 38358

Milton Dale Conder
RAINEY KIZER REVIERE & BELL
105 S. Highland Ave.
P.O. Box 1147
Jackson, TN 38302--114

Fred Collins
FLIPPIN COLLINS & HILL, PLLC
P.O. Box 679
Milan, TN 38358

Honorable James Todd
US DISTRICT COURT